

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHANA KORMAN,

Plaintiff,

Civil Action

-against-

Case No.:

TARGET CORPORATION,

NOTICE OF REMOVAL

Defendant(s).

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Defendant, TARGET CORPORATION, by its attorneys, FISHMAN McINTYRE
BERKELEY LEVINE SAMANSKY P.C., respectfully petition the United States District
Court, Southern District of New York, upon information and belief, as follows:

1. This case was originally commenced on or about September 26, 2018 in
the Supreme Court of the State of New York, County of Kings. The suit is identified in
the Supreme Court as “*Chana Korman v. Target Corporation*”, *Index No. 524933/2018*.
A true copy of plaintiff’s Summons and Verified Complaint is cumulatively annexed
hereto as **Exhibit A**.

2. Defendant, Target Corporation (“Target”) first received notice of the suit
when service was effectuated CT Corporation on or about January 11, 2019. (See
Exhibit B hereto). The grounds for removal are based on the original jurisdiction of this
Court under 28 U.S.C. § 1332, which allows this Court to hear matters based on diversity
of citizenship of the parties.

3. In plaintiff’s Complaint, plaintiff does not specify a monetary amount of
damages claimed. Rather, plaintiff claims damages of a non-monetary amount as a result
of alleged “serious, severe and painful injuries...[which are] permanent”. See Exhibit A,
paragraph 24.

4. By way of demand for damages dated May 22, 2019, plaintiff demands damages in the amount of \$3,000,000.00. (See Exhibit C hereto).

5. Based upon the foregoing, there can be no doubt that the amount in controversy herein exceeds \$75,000.00, exclusive of interest and costs.

6. Plaintiff is a resident of the State of New York, County of Kings (see Exhibit A hereto, plaintiff's summons).

7. In addition, attached hereto is Exhibit D request to admit served upon plaintiff's counsel dated February 1, 2019. By way of response dated February 19, 2019, plaintiff admitted being a citizen of the state of New York both at the time the cause of action arose and presently. (See Exhibit E, plaintiff's response to request to admit).

8. Target is a corporation, incorporated in the state of Minnesota. Moreover, Target has its principal place of business in Minneapolis, Minnesota.

9. Based upon the foregoing, diversity of citizenship exists. Plaintiff is a citizen of the State of New York. On the other hand, Target is a foreign business corporation, incorporated in and having its principal place of business in Minnesota. Therefore, this action is between a citizen of the State of New York (plaintiff) and a corporation of a state other than New York, the defendant, Target Corporation on the other hand.


10. Written notice of the filing of this Notice of Removal has been given to all parties in accordance with 28 U.S.C. §1446 (d), as evidenced in the annexed Certificate of Service.

11. Promptly after filing this Notice with the Court and the assignment of a civil docket number, a copy of this Notice will be filed with the Supreme Court of the State of New York, Kings, in accordance with 28 U.S.C. §1446 (d).

WHEREFORE Petitioner, Target Corporation, defendant in the action described herein now pending the Supreme Court of the State of New York, County of Kings, under Index No. 524933/2018, prays that this action be removed therefrom to this Honorable Court.

Dated: New York, New York
June 6, 2019

Yours etc.,



MITCHELL B. LEVINE, Esq.
FISHMAN MCINTYRE BERKELEY
LEVINE SAMANSKY
Attorney for Defendant
TARGET CORPORATION
521 Fifth Avenue, 17th Floor
New York, New York 10175
(212) 461-7190
File No.: TARN-150-ML

TO: C.T. Lee Associates
Corey T. Lee, Esq.
225 Broadway, Suite 3005
New York, NY 10007
212-566-5509
Corey.Lee@coreyleelaw.com